

REMARKS

Reconsideration of the instant application is respectfully requested. The present amendment is responsive to the Office Action of December 13, 2005, in which claims 1-16 were previously pending. Of those, claims 1-11 have been withdrawn from consideration as being drawn to a non-elected invention. Claims 12-16 thus remain pending.

With regard to the art of record, claims 12-14 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,972,667 to Conia, et al. In addition, claims 15-16 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Conia, in view of U.S. Patent Publication 2003/0092172 by Oh, et al. For the following reasons, however, it is respectfully submitted that the application is now in condition for allowance.

Claims 12 and 13 have been amended as set forth above to more particularly point out that the selection of the operating wavelength(s) of the IR source is coincident with the absorptive wavelength of the reactive species such that the medium containing the species (e.g., water) is not directly heated by the source. This allows the heating to occur an order of magnitude or more rapidly. Support for this amendment is found at least in paragraphs [0015], [0016], and [0022] of the electronically filed specification.

In contrast, neither Conia nor Oh teach or suggest the (laser) IR source used by Conia has a wavelength selected for the absorptive wavelength of the reactive species (i.e., the sample). Rather, Conia specifically teaches that "elevation and stabilization of temperature is achieved as a result of absorption of laser energy *by water molecules*." (col. 5, lines 46-47, emphasis added).

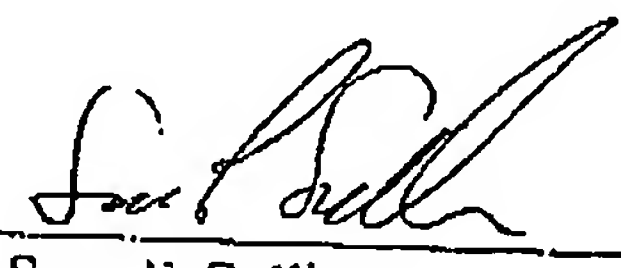
Thus, because Conia specifically teaches that the laser beam is used to heat the solvent (e.g., col. 8, lines 3-6, lines 43-46), Conia does not anticipate any of claims 12-16

as currently amended since the claims now recite that the wavelength selection of the IR source is such that the species is heated without directly heating the medium. Accordingly, it is respectfully submitted that both the §102 and §103 rejections have now been overcome, and it is respectfully requested that the same be withdrawn.

For the above stated reasons, it is respectfully submitted that the present application is now in condition for allowance. No new matter has been entered and no additional fees are believed to be required. However, if any fees are due with respect to this Amendment, please charge them to Deposit Account No. 09-0458 maintained by Applicants' attorneys.

Respectfully submitted,
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